

Steven J. Shamburek
 Alaska Bar No. 8606063
 LAW OFFICE OF STEVEN J. SHAMBUREK
 425 G Street, Suite 630
 Anchorage, Alaska 99501
 (907) 522-5339 Direct
 (907) 522-5393 Fax

Attorney for Plaintiffs
 Shoreside Petroleum, Inc.,
 d/b/a Marathon Fuel Service
 and Metco, Inc.

**IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF ALASKA**

UNITED STATES OF AMERICA for the)	
use of NORTH STAR TERMINAL &)	
STEVEDORE COMPANY, d/b/a Northern)	
Stevedoring & Handling, and NORTH)	
STAR TERMINAL & STEVEDORE COMPANY,)	
d/b/a Northern Stevedoring & Hand-)	
ling, on its own behalf,)	
)
Plaintiffs,)	
)
and)	
UNITED STATES OF AMERICA for the)	
use of SHORESIDE PETROLEUM, INC.,)	
d/b/a Marathon Fuel Service, and)	
SHORESIDE PETROLEUM, INC., d/b/a)	
Marathon Fuel Service, on its own)	
behalf,)	
)
Intervening Plaintiffs,)	
)
and)	
METCO, INC.,)	
)
Intervening Plaintiff,)	
)
vs.)	Case No. A98-0009-CV (HRH)
NUGGET CONSTRUCTION, INC.; SPENCER)	
ROCK PRODUCTS, INC.; UNITED STATES)	
FIDELITY AND GUARANTY COMPANY; and)	
ROBERT A. LAPORE,)	
)
Defendants.)	

COMES NOW Shoreside Petroleum, Inc., d/b/a Marathon Fuel Service ("Shoreside") and Metco, Inc. ("Metco"), by and through counsel, and file this Reply to the Opposition to their Joinder in the Motion to Compel filed by North Star.

The financial information should have been produced in response to the prior discovery request. The information is not sought for purposes of execution because there are no judgments. Counsel for Nugget has provided written assurance that Nugget has the financial resources to respond to the possible judgments in this case. However, that representation by counsel does not entirely relieve the parties from investigating whether Nugget is financially viable. On information and belief, the financial information was recently provided to USF&G so that it can determine the viability of Nugget and Nugget's ability to respond to the financial obligations in the master surety agreement between Nugget and USF&G. The same information should be provided to the three claimants. Thus, the discovery request is neither overly broad nor unduly burdensome.

The insurance policies should have been produced as part of the mandatory disclosures. There was a reference to the existence of insurance policies at a previous deposition. Nugget should be compelled to provide the policy or policies in effect between the years 1997 and 2005.

The North Star motion is well-taken. The requested relief should be granted.

DATED this 4th day of January, 2006.

THE LAW OFFICE OF STEVEN J. SHAMBUREK
Attorney for Plaintiff
Shoreside Petroleum, Inc., d/b/a Marathon
Fuel Service and Metco, Inc.

/s/ Steven J. Shamburek
By: _____
Steven J. Shamburek
ABA: 8606063

CERTIFICATE OF SERVICE

The undersigned certifies that on the 4th day of January, 2006, a copy of the foregoing was served by the Electric Case Filing system.

/s/ Steven J. Shamburek

Steven J. Shamburek